

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

FAO No. 6250 of 2013 (O&M)

Date of decision: 6.9.2019

Rajbinder Kaur and others

....Appellants

VERSUS

Baldev Singh and others

.....Respondents

CORAM: HON'BLE MRS. JUSTICE REKHA MITTAL

Present: Mr. P.S. Baidwan, Advocate for the appellants.

Mr. Sukhdarshan Singh, Advocate for respondent No.3.

REKHA MITTAL, J.(Oral)

Notice to respondent No.2 could not be issued as counsel for the appellants failed to furnish his current and complete address since 28.10.2014 despite the case being adjourned 15 times for the said purpose with stipulations of 'last opportunity' and 'one more opportunity' etc.

In the given circumstances, there is no justification for allowing another opportunity to the appellant for necessary compliance. As a consequence, application for condonation of delay against respondent No.2 is dismissed. As the insurance company has been given right of recovery against the insured/respondent No.2, the appeal for enhancement of compensation cannot be allowed on merits.

As a consequence, the appeal is dismissed being barred by limitation.

SEPTEMBER 6, 2019

'D. Gulati'

(REKHA MITTAL)

JUDGE